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**NSW Police Force**

**OFFICE OF THE COMMISSIONER**

26 March 2024

F/2023/57909

The Hon. Michael Daley MP  
Attorney General  
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Dear Attorney

On 8 September 2023, NSW Deputy State Coroner Magistrate Harriet Grahame finalised the inquest into the death of **BW**.

The Deputy State Coroner made a total of nine recommendations under the provisions of section 82 of the *Coroners Act 2009*. Six of the recommendations are made to the NSW Police Force (NSWPF) and two are joint recommendations made to the NSWPF and the NSW Department of Communities and Justice.

These recommendations, along with the NSWPF position on each of the recommendations, are included in the attached table.

Yours sincerely

**Karen Webb APM**  
**Commissioner of Police**

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No.	Recommendation	NSWPF response
2	The Commissioner implement a requirement that NSWPF notify DCJ as soon as reasonably practicable of any determination to exercise police power pursuant to s43 <i>Children and Young Persons (Care and Protection) Act 1998</i> to remove a child, noting such contact should be done as a priority and priority access to the DCJ Child Protection Helpline is available for this purpose.	<p>It is already requirement of the <i>Children and Young Persons (Care and Protection Act) 1998</i> that the NSWPF notify DCJ when removing a child.</p> <p>Police are required to serve all parents/carers with a “Notice of Reasons” for removal of a child or young persons, when custody of a child is being removed.</p>
3	<p>The NSWPF Handbook (Sexual Violence and Child Abuse) and Operational Manual (Sexual Assault and Child Abuse) be reviewed with a view to enhancing police knowledge, skills and practices in carrying out decisions to remove children pursuant to s43 <i>Children and Young Persons (Care and Protection) Act 1998</i>, by including content in line with the following sections of the DCJ Removal or Assumption of a Child Mandate:</p> <ol style="list-style-type: none"> <li>A. Separation and loss</li> <li>B. Providing support during the removal process</li> <li>C. Helping children make sense of the removal</li> <li>D. Assuming care of the child</li> </ol>	<p>The NSWPF Handbook entry for Sexual Violence and Child Abuse was updated in June 2023 with amendments reflecting this recommendation.</p> <p>The NSWPF Forensic Interviews with Vulnerable Persons and Children Course (FIVPC) contains information regarding police powers relating to s43 <i>Children and Young Persons (Care and Protection Act)</i>. The NSWPF Forensic Interview Guide contains a copy of the form referenced at Recommendation 2.</p> <p>The NSWPF Microlearn course “Speaking to a Child” contains education material relating to s43 <i>Children and Young Persons (Care and Protection Act)</i>.</p>
4	<p>The Commissioner review publications and training resources on the topic of emergency removals of children pursuant to s43 <i>Children and Young Persons (Care and Protection) Act 1998</i>, having regard to the content of the following DCJ material:</p> <ol style="list-style-type: none"> <li>A. Removal or Assumption of a Child Mandate</li> <li>B. Separation and Loss Practice Advice Topic</li> </ol>	<p>Current NSWPF training relates to legislative requirements and the process for the emergency removal of a child from a private and public place. NSWPF will liaise with DCJ for access to relevant documents for use within NSWPF learning resources.</p>
5	<p>Consideration be given to the delivery of training sessions, to an appropriate call of officers, including by online means, on the carrying out of decisions to</p>	<p>The NSWPF provides the following training that directly relates to decisions to remove children pursuant to s43 <i>Children and Young Persons (Care and Protection) Act 1998</i>:</p>

	<p>remove children pursuant to s43 <i>Children and Young Persons (Care and Protection) Act 1998</i></p>	<ul style="list-style-type: none"> <li>- The Forensic Interviews with Vulnerable Persons and Children Course (FIVPC) - targeted at Constable/Detective Constables and delivered six times a year.</li> <li>- The NSWPF Six Minute Intensive Training (SMIT) modules provides information regarding the Removal of a Child from Private Premises. It includes a scenario and outlines police powers under S43 (4). It also provides advice on powers to enter a premises (not just removal).</li> <li>- The NSWPF provides a microlearning on the decision to remove a child. The microlearning is broadcast in each Interviews with Vulnerable Persons/Children Workshop, which are held several times per year.</li> <li>- The NSWPF Notice of Removal has been updated and advice on how to serve the Notice has been communicated to officers.</li> <li>- The NSWPF circulated newsletters to the Child Abuse Squad in April 2023 addressing police power under S43 and providing advice on the Notice of Removal.</li> <li>- The NSWPF is proposing to include DCJ educational material on separation and loss in its FIVPC Course.</li> </ul>
6	<p>The Commissioner review the Prioritising Police Response to Incidents policy, and any other relevant policy and guidance material applicable to station-based officers, to ensure consistency in the implementation of the amended Radio Operations Group SOP that all incidents involving a threat of self-harm be assigned a Priority 2 response upon creation of a CAD job.</p>	<p>The NSWPF has reviewed the documents and policies related to Priorities for Self-Harm/Suicide CAD incidents. In May 2023 the Radio Operations Group Standard Operating Procedures were amended to require that all instances of 'causing or threatening self-harm' were to be treated as Priority 2.</p> <p>The NSWPF will continue to consult with relevant stakeholders to determine appropriate amendments to training and course content.</p>
7	<p>The contents of the education and training delivered at the NSWPF Academy prior to attestation as a Probationary Constable be reviewed for the purpose of ensuring inclusion of adequate instruction on the importance of junior officers raising directly with their supervisors relevant information they obtain in the course of their duties.</p>	<p>The NSWPF will review the pre-attestation curriculum to ensure probationary constables are aware of the importance of raising relevant information directly with their supervisor.</p>

8	<p>Joint consideration be given to the creation of a fact sheet, required to be given to a parent or parents present at the time of any emergency removal of a child by police pursuant to pursuant to <i>s43 Children and Young Persons (Care and Protection) Act 1998</i>, including content addressing the following matters, in line with the DCJ <i>"When your child is removed from care"</i> fact sheet:</p> <ul style="list-style-type: none"> <li>A. In general terms why police have removed the child</li> <li>B. What happens next</li> <li>C. Contact details for DCJ Child Protection Line</li> <li>D. Space for the name and contact details of a relevant police officer and police station who the parent can contact for more information</li> <li>E. Other useful contact details including for Legal Aid and any appropriate complaint arising from the conduct of police</li> <li>F. Contact details for 24/7 mental health support services</li> </ul>	<p>NSWPF officers are required to serve a parent/carer with a <i>"Notice of reasons for removal"</i> when a child is being removed. It informs the parent/carer of most of the information required under this recommendation and will be updated to include points C, E and F.</p> <p>The updated form will be provided to NSWPF officers and incorporated in the Police Handbook. The form will also be made available via the NSWPF Child Abuse Squad intranet.</p> <p>The NSWPF is working to develop an appropriate fact sheet.</p>
9	<p>The Interagency Guidelines on Reporting and Responding to Child Wellbeing and Safety Concerns be jointly reviewed, with a view to including reference to the police exercise of power under pursuant to <i>s43 Children and Young Persons (Care and Protection) Act 1998</i>, with hyper links to relevant NSWPF policies and guidance materials.</p>	<p>This recommended will be considered during the Joint Child Protection Response Program, Joint Training Committee Meeting.</p>